

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 8, 1992
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor Roberts at 2:12 p.m.

City Manager Jack McGrory reported on the State Budget crisis of the City of San Diego. Motion by Council Member McCarty and second by Council Member Stevens to hold a special meeting on Thursday, June 11, 1992 at 2:00 p.m. in the Council Chambers to discuss the budget crisis. Passed unanimously with Mayor O'Connor and Council Member Filner not present.

Deputy Mayor Roberts recessed the meeting at 3:57 p.m. to convene the Redevelopment Agency. Deputy Mayor Roberts reconvened the meeting at 4:13 p.m. with Mayor O'Connor and Council Member Filner not present. The meeting was adjourned at 7:28 p.m. by Chairperson Wolfsheimer into Closed Session in the twelfth floor conference room to discuss a pending litigation matter.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-280172
(out-of-town official business)
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present
- Clerk-Abdelnour/Fishkin (mc)

FILE LOCATION: MINUTES

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ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Brian Kent of the
Linda Vista United Methodist Church.

FILE LOCATION: MINUTES

ITEM-20 PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
McCarty.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1: REFERRED TO THE CITY CLERK

Comment by Don Stillwell regarding potential election
irregularities.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A030-052.)

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ITEM-30: (R-92-1920) ADOPTED AS RESOLUTION R-280058

Proclaiming May 10 through 16, 1992 as "National Small Business Week."

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A359-439.)

MOTION BY HARTLEY TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-31: GRANTED HEARING, TO BE HELD JUNE 23, 1992 AT 2:00 P.M.

Matter of the request of James R. Toone for a hearing of an appeal from the decision of the Planning Commission in granting Hillside Review Permit/Resource Protection Ordinance Permit 91-0456 with a modified condition to require the full improvement of Trenton Avenue to City standards and to be done in a manner consistent with environmental concerns of the canyon. The project includes the construction of a 1,869-square-foot single-family house on a 3,125-square-foot lot. The subject property, located at Trenton Street (a named alley), is described as Lot 36, Block 5 of American Park Addition, Map-983 in the R1-5000 Zone within the Clairemont Community Plan area. (HRP/RPO-91-0456. District-6.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - HRP/RPO-91-0456

COUNCIL ACTION: (Tape location: A446-502.)

MOTION BY STALLINGS TO GRANT THE HEARING ON THE BASIS THAT THE DEVELOPER PRESENTS A CITY-WIDE PLANNING ISSUE ON WHICH GUIDANCE FROM THE CITY COUNCIL IS REQUIRED. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

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ITEM-32: GRANTED HEARING, TO BE HELD JUNE 23, 1992 AT
2:00 P.M.

Matter of the request of John R. Robinson, et al, for a hearing of an appeal from the decision of the Planning Commission. Due to a lack of affirmative votes, the decision of the Planning Director to approve Mid-City Development Permit MCDP-91-0697 stands. The permit would allow construction of a 116 room single room occupancy hotel with six apartments and 1,300 square feet of commercial floor area. The applicant is requesting variances for yard setbacks and parking. The subject property is 21,000 square feet in size and is located at the northeast corner of University Avenue and Alabama Street and is described as Lots 19-24, Block 197 of University Heights. The CL-1 and MR-800B zoned site is within the Greater North Park Community Plan area.
(MCDP-91-0697. District-3.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM - MCDP-91-0697

COUNCIL ACTION: (Tape location: A503-534.)

MOTION BY HARTLEY TO GRANT THE HEARING BASED ON CITYWIDE SIGNIFICANCE. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-50: (O-92-148) ADOPTED AS ORDINANCE O-17783 (New Series)

Amending Chapter II, Article 4, Division 1, of the San Diego Municipal Code, by amending Section 24.0103, relating to the City Employees' Retirement System. (Introduced on 5/26/92. Council voted 8-0. Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B023-029.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-100: (R-92-1412) ADOPTED AS RESOLUTION R-280059

Awarding a contract to Diamond Z Manufacturing for the purchase of one diesel powered yard and wood waste shredder/grinder, for a total cost of \$418,070, including tax, with an option to purchase additional machines at the same price within six months of the date of the original purchase order; authorizing the expenditure of an amount not to exceed \$418,070 from Department No. 752, Fund No. 41200, Object Account No. 6010, and Job Order No. 2332, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-P3057/92)
Aud. Cert. 9200930.

FILE LOCATION: CONT - Purchase - Diamond Z Manufacturing
CONTFY92-1

COUNCIL ACTION: (Tape location: H124-296.)

MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-101: (R-92-1415) ADOPTED AS RESOLUTION R-280060

Awarding a contract to FLIR Systems, Inc., for the purchase of a Forward Looking Infrared Imaging System (FLIR Systems, Inc. #2000 F/V), for a total cost of \$169,157, including tax and on-site training; authorizing the expenditure of an amount not to exceed \$169,157 from Fund No. 10132, Department No. 10132, Organization No. 200, Object Account No. 6010, and Job Order No. 001992, for providing funds for said project and related costs; authorizing the City Auditor and

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Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-C3097/92)
Aud. Cert. 9200933.

FILE LOCATION: CONT - Purchase - FLIR Systems, Inc.
CONTFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-102: (R-92-1418) ADOPTED AS RESOLUTION R-280061

Awarding a contract to Ebsco Subscription Services for Subscriptions, as may be required for calendar year 1993, for an estimated cost of \$174,442, including tax and terms, with options to renew the contract for four additional one year periods, with option period increases not to exceed 20 percent of the prices in effect at the end of the prior contract period.
(BID-P3007/92)

FILE LOCATION: CONT - Purchase - Ebsco Subscription Services
CONTFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-103: (R-92-1416) ADOPTED AS RESOLUTION R-280062

Awarding a contract to Hawthorne Machinery Co., for the lease of one wheel loader for the Miramar Landfill, as may be required for a period of one year beginning approximately July 1, 1992 through June 30, 1993, for an estimated cost of \$82,752, including tax, with

options to renew the contract for four additional one
year periods and options to purchase.
(BID-B3063/92)

FILE LOCATION: CONT - Purchase - Hawthorne Machinery Co.
CONFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by
Stallings. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-not present, Mayor
O'Connor-not present.

* ITEM-104: (R-92-1417) ADOPTED AS RESOLUTION R-280063

Awarding contracts to Napa Auto Parts, Champion Auto
Parts, and Wetmore's for the purchase of miscellaneous
hydraulic brake components, friction material and heavy
duty air brake components, as may be required for a
period of one year beginning June 1, 1992 through May
31, 1993, for a total cost of \$60,000, including tax
and terms, with an option to renew the contract for
four additional one year periods. (BID-C3088/92)

FILE LOCATION: CONT - Purchase - Napa Auto Parts, Champion
Auto Parts and Wetmore's CONFY92-3

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by
Stallings. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-not present, Mayor
O'Connor-not present.

* ITEM-105: (R-92-1574) ADOPTED AS RESOLUTION R-280064

Inviting bids for the Construction of Mid-City
Commercial Revitalization Program - Phase 9 - El Cajon
Boulevard (30th - I-805) Median Landscaping Project on
Work Order No. 119599;

authorizing the execution of a contract with the lowest
responsible bidder; authorizing the City Auditor and

Comptroller to transfer \$19,000 from CDBG Fund No. 18502 to CDBG Fund No. 18526, Dept. 5893, Org. 9309, and \$208,050 from CDBG Fund No. 18526 to CIP-39-083; authorizing the expenditure of funds not to exceed \$208,050 from CDBG Fund No. 18526 (CIP-39-083), and \$60,000 from Capital Outlay Fund No. 30245 (CIP-58-007), totaling \$268,050, for said project and related costs;

authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-K3196/92)
(North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This project is the ninth phase of the Mid-City Commercial Revitalization Program. It consists of public improvements along a two-block median area of El Cajon Blvd. between Illinois and I-805 on the eastern end of the North Park community. The project provides for the construction of replacement medians, tree planting, and installation of electrical and irrigation systems. It is a continuation of median improvements completed to the west and has been reviewed and endorsed by the Gateway Business Improvement Association and the Greater North Park Community Planning Group.

Aud. Cert. 9200904.

FILE LOCATION: W.O. 119599 CONT - L. R. HUBBARD
CONSTRUCTION CO., INC. CONFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-106: (R-92-1573) ADOPTED AS RESOLUTION R-280065

Inviting bids for the Construction of Sewer Replacement Group 613 on Work Order No. 171651; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$1,284,622 from the Sewer Revenue Fund 41506 CIP-44-001.0, for said project and related costs; authorizing the Auditor and Comptroller, upon advice

from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(La Jolla, La Jolla PDO, Old San Diego, Peninsula, Uptown, and Pacific Beach Community Areas.
Districts-1, 2 and 6.)

CITY MANAGER SUPPORTING INFORMATION: Existing 6-inch, 8-inch and 10-inch concrete sewer mains in various areas of the City have deteriorated. These concrete sewer mains have histories of sewer flow backups in locations of difficult access for ordinary construction trenching operations. The existing 6-inch, 8-inch, and 10-inch concrete sewer mains are located in inaccessible easements, which are too narrow for construction equipment, under existing buildings, large trees or existing landscaping. The rehabilitation of the concrete sewer mains will increase their long-term usefulness.

This proposed project will consist of total rehabilitation of approximately 9,377 linear feet of the above mentioned sewer mains.

Aud. Cert. 9200613.

WU-P-92-091.

FILE LOCATION: W.O. 171651 CONT-D'Arcy and Harty
Construction Inc. CONFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-107:

Two actions relative to the Bay Terraces Landscape Maintenance District:
(Skyline/Paradise Hills Community Area. District-4.)

Subitem-A: (R-92-1806) ADOPTED AS RESOLUTION R-280066

Resolution of Intention to levy and collect assessments on the Bay Terraces Landscape Maintenance District in Areas 1 and 5.

Subitem-B: (R-92-1807) ADOPTED AS RESOLUTION R-280067

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Bay Terraces Landscape Maintenance District. The district provides for the maintenance of four acres of open space. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

	Area 1	Area 5	Total
Contractual Maintenance	\$13,170	4,159	17,329
Personnel	2,452	2,452	4,904
Utilities	2,575	0	2,575
Incidentals	3,330	2,764	6,094*
Total Expenses	\$21,527	9,375	30,902
Reserve	3,026	2,600	5,626
Total	\$24,553	11,975	36,528
Less Carry-over & Interest	3,420	2,280	5,700
Less City Contribution	50	50	100
Assessed to District	\$21,083	9,645	30,728

* Includes Assessment District Management Fee of \$1,887.

For Area 1, the annual assessment for Fiscal Year 1993 is \$60.26 per dwelling unit, compared to \$57.90 for Fiscal Year 1992. For Area 5, the annual assessment for Fiscal Year 1993 is \$100.54 per dwelling unit compared to \$97.20 in Fiscal Year 1992. The district consists of Areas 1 and 5 only.

FILE LOCATION: STRT M-252

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-108:

Two actions relative to the Campus Point Landscape Maintenance District:

(University Community Area. District-1.)

Subitem-A: (R-92-1809) ADOPTED AS RESOLUTION R-280068

Resolution of Intention to levy and collect
assessments.

Subitem-B: (R-92-1810) ADOPTED AS RESOLUTION R-280069

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Campus Point Landscape Maintenance District. The district provides maintenance of 25 acres of open space. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$12,000
Personnel	4,906
Utilities	7,125
Incidentals	6,004*
Total Expenses	\$30,035
Reserve	15,042
Total	\$45,077
Less Carry-over & Interest	19,600
Less City Contribution	625
Assessed to District	\$24,852

* Includes Assessment District Management Fee of \$1,834.

The proposed amount to be assessed to the district in Fiscal Year 1993 is approximately \$428 per net acre compared to \$428 per net acre in Fiscal Year 1992. The nine parcels in the district range in size from 3.1 acres to 14.6 acres.

FILE LOCATION: STRT M-253

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-109:

Two actions relative to the Carmel Mountain Ranch
Landscape Maintenance District:
(Carmel Mountain Ranch Community Area. District-5.)

Subitem-A: (R-92-1800) ADOPTED AS RESOLUTION R-280070

Resolution of Intention to levy and collect
assessments.

Subitem-B: (R-92-1801) ADOPTED AS RESOLUTION R-280071

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing
establishes the annual assessments for the Carmel Mountain Ranch
Landscape Maintenance District. The district provides
maintenance of certain landscape medians and streetscapes within
the district boundaries.

The developer maintains certain other areas until they are turned
over to the district. The Fiscal Year 1993 proposed maintenance
costs for the district are as follows:

Contractual Maintenance	\$125,000
Personnel	24,527
Utilities	26,500
Incidentals	41,391*
Total Expenses	\$217,418
Reserve	14,364
Total Expenses	\$231,782
Less Carry-over & Interest	99,145
Less City Contribution	12,876
Assessed to District	\$119,761

* Includes Assessment District Management Fee of \$13,274.

The proposed assessment for Fiscal Year 1993 is
approximately \$11.63 per dwelling unit compared to \$11.01 in
Fiscal Year 1992.

FILE LOCATION: STRT M-254

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-110:

Two actions relative to the Carmel Valley Landscape Maintenance District:
(Carmel Valley Community Area. District-1.)

Subitem-A: (R-92-1818) ADOPTED AS RESOLUTION R-280072

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-92-1819) ADOPTED AS RESOLUTION R-280073

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Carmel Valley Landscape Maintenance District. The district provides maintenance for approximately 210 acres of open space in addition to medians, streetscapes, and slopes within the district areas.

The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 677,099
Personnel	98,113
Utilities	157,000
Incidentals	141,864*
Total Expenses	\$1,074,076
Reserve	105,385
Total	\$1,179,461
Less Carry-over & Interest	119,174
Less City Contribution	28,160
Assessed to District	\$1,032,127

* Includes Assessment Management Fee of \$65,571.

Fiscal Year 1993 assessments will range from approximately \$13 to \$261 per dwelling unit for the various (one through seven) subareas of the district. The corresponding range in Fiscal Year 1992 was from \$12 to \$230 per unit.

Approximately 9 acres of additional landscaping will be maintained by the district in FY '93.

FILE LOCATION: STRT M-255

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-111:

Two actions relative to the Gateway Center East Landscape Maintenance District:
(Mount Hope Community Area. District-4.)

Subitem-A: (R-92-1812) ADOPTED AS RESOLUTION R-280074

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-92-1813) ADOPTED AS RESOLUTION R-280075

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Gateway Center East Landscape Maintenance District. The district provides maintenance for the landscaped open space easements as well as landscaping along the frontage of all lots and medians on Market Street and Gateway Center Drive. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 66,475
Personnel	9,813
Utilities	18,800
Incidentals	34,317*
Total Expenses	\$129,405
Reserve	18,435
Total	\$147,840
Less Carry-over & Interest	36,200
Less City Contribution	944
Assessed to District	\$110,696

* Includes \$7,900 Assessment District Management Fee.

This assessment cost for Fiscal Year 1993 is \$2,950 per acre of net usable pad area of each parcel. The corresponding assessment cost in Fiscal Year 1992 was \$2,845.

FILE LOCATION: STRT M-256

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-112:

Two actions relative to the Mira Mesa Landscape and Lighting Maintenance District:

(Mira Mesa Community Area. District-5.)

Subitem-A: (R-92-1803) ADOPTED AS RESOLUTION R-280076

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-92-1804) ADOPTED AS RESOLUTION R-280077

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the Mira Mesa Landscape Maintenance District. The district provides maintenance of landscaped and paved medians, slopes and streetscapes within the community.

The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 202,500
Personnel	22,076
Utilities	19,750
Incidentals	45,279*
Total Expenses	\$ 289,605
Reserve	36,822

Total	\$ 326,427
Less Carry-over & Interest	26,482
Less City Contribution	28,400
Assessed to District	\$ 271,545

* Includes \$17,679 Assessment Management Fee.

The assessment amount per dwelling unit for FY '93 is \$3.79 compared to \$2.71 for FY'92. The increase is due to approximately 2.0 acres of additional landscaping to be maintained by the district in FY '93.

The Mercy Road subdistrict parcels are assessed an additional \$66 per dwelling unit for costs relating to landscape maintenance operations specific to the subdistrict area. The corresponding amount in FY '92 was \$5. The increase is due to approximately 11.0 acres of additional landscaping to be maintained in the Mercy Road subdistrict area.

FILE LOCATION: STRT M-257

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-113:

Two actions relative to the First San Diego River Improvement Project (FSDRIP) Landscape Maintenance District:
(Mission Valley Community Area. District-6.)

Subitem-A: (R-92-1815) ADOPTED AS RESOLUTION R-280078

Resolution of Intention to levy and collect assessments.

Subitem-B: (R-92-1816) ADOPTED AS RESOLUTION R-280079

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the First San Diego River Improvement Project (FSDRIP) Landscape Maintenance District. The facility proposed to be maintained consists of San Diego River earthen flood control channel, eight river islands inside the channel zone, and an approximately 20-foot wide buffer zone running along and adjacent to the channel embankments. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$247,955
Personnel	32,969
Utilities	20,600
Incidentals	52,587*
Total Expenses	\$354,111
Reserve	193,964
Total	\$548,075
Less Carry-over & Interest	233,000
Less City Contribution	---**
Assessed to District	\$315,075**

*Includes Assessment District Management Fee of \$21,616. Fiscal Year 1993 assessments are approximately \$91 for the condo units compared to \$90 in FY '92, and from \$360 to \$58,500 for the individual parcels as compared to \$358 to \$58,000 in Fiscal Year 1992.

FILE LOCATION: STRT M-258

COUNCIL ACTION: (Tape location: H119-123.)

MOTION BY STALLINGS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-114: (R-92-1835) ADOPTED AS RESOLUTION R-280080

Approving the final subdivision map of Koll-Sorrento Mesa, a 9-lot industrial subdivision at Lusk Mira Mesa Business Park East 1, Unit No. 3, located southwesterly of Camino Santa Fe and Flanders Drive.
(Mira Mesa Community Area. District-5.)

FILE LOCATION: SUBD - Koll-Sorrento Mesa

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-115: (R-92-1881) ADOPTED AS RESOLUTION R-280081

Authorizing the City Manager to apply for, accept, and expend the Operation Weed and Seed grant program funds from the Office of the United States Attorney General, the Department of Justice, and the Bureau of Justice Assistance.

(Southcrest Community Area. Districts-4 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The City of San Diego Police Department, in response to an invitation from the Office of the United States Attorney and the Department of Justice, has applied for, and been selected to receive, the Operation Weed and Seed grant.

The grant will provide \$1.1 million for intensive law enforcement ("weeding"), Neighborhood Oriented Policing, and community revitalization ("seeding") in the Southeast San Diego Neighborhood of Southcrest. The grant will fund one Police Lieutenant (Program Coordinator), two Detectives (for a model problem-oriented investigative component), two Neighborhood Police Officers, one Juvenile Intervention Officer, one Crime Analyst, one Deputy City Attorney, one Housing Compliance (Building) Inspector (all City of San Diego personnel), one Probation Officer, and one Deputy District Attorney, along with vehicles, equipment, overtime, and supply expenses. In addition, the program includes the cooperation and specific operations of several state and federal agencies. The program period began April 1, 1992. Actual program operations are expected to begin in June, 1992. The projected program period will run through June, 1993, with possible refunding for two to three years.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G439-H118.)

MOTION BY STEVENS TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-116: (R-92-1885) ADOPTED AS RESOLUTION R-280082

Authorizing the City Manager to accept a grant from the California Department of Boating and Waterways for a floating restroom facility and the funds for installation of the facility at Lower Otay Lake under the Cal-Boating Program; authorizing the City Manager to execute an agreement with the California Department of Boating and Waterways, for the floating restroom facility at Lower Otay Lake; authorizing the use of City Forces to do all the work as required in connection with the installation of the facility, at a cost not to exceed \$4,000;

authorizing the expenditure of an amount not to exceed \$4,000 from CIP-73-230.0, Annual Allocation - Various Lakes.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The State Department of Boating and Waterways through its CAL-Boating Program is authorized to offer local grant assistance to public agencies for the installation of floating restroom facilities. The CAL-Boating program staff contacted the City's Lakes Recreation Program offering the last of the facilities to San Diego for Lower Lake Otay. The facility is valued at \$55,000 and an additional \$4,000 has been requested for reimbursement of City costs for installation.

Aud. Cert. 9200921.

WU-U-92-132.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-117: (R-92-1886) ADOPTED AS RESOLUTION R-280083

Expressing appreciation and gratitude to Ralph Johnson for his many years of service and the contribution he

has made to the House of Hospitality, Balboa Park and
the City of San Diego;

wishing Ralph Johnson the best of luck in all of his
future endeavors.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by
Stallings. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-not present, Mayor
O'Connor-not present.

* ITEM-118: (R-92-1893) ADOPTED AS RESOLUTION R-280084

Authorizing the execution of an agreement with
Basmaciyan-Darnell, Inc., for engineering consultant
services, as needed, for the Water Utilities
Department; authorizing the City Auditor and
Comptroller to transfer \$100,000 within Water Revenue
Fund 41500, from CIP-73-083.0, Annual Allocation for
Water Main Replacements, to the Water Operations
Engineering Program (70830), and to transfer the amount
of \$100,000 within Sewer Revenue Fund 41506, from
CIP-40-920.3, Tecolote Canyon Trunk Sewer Improvements,
to the Sewer Operations Engineering Program (70820);
authorizing the expenditure of \$200,000, consisting of
\$100,000 from Water Revenue Fund 41500, Water
Operations Engineering Program (70830), and \$100,000
from Sewer Revenue Fund 41506, Sewer Operations
Engineering Program (70820), to provide funds for this
project; authorizing the City Manager to finance or
refinance this project with tax exempt securities, if
circumstances so warrant.

CITY MANAGER SUPPORTING INFORMATION: On June 16, 1991, an
advertisement was placed in the San Diego Daily Transcript for
traffic engineering consultant services to be provided, as
needed, for the Water Utilities Department. These services would
include the development of construction zone traffic control
plans. The City's Consultant Nominating Committee reviewed the
letters from eleven qualified consultants, four of which were MBE
or WBE firms. The nominating committee nominated six firms to
participate in a final interview by a consultant selection
committee comprised of personnel from the Water Utilities

Department. The interviews were conducted in conformance with Council Policy 300-7. The firm Basmaciyen-Darnell, Inc. was selected as one of the best qualified to provide the consultant services. Basmaciyen-Darnell, Inc. has one subconsultant for computer-aided drafting, DC Design (WBE), who will be responsible for 15 percent of the assigned tasks. The agreement will provide for the services by task orders on an hourly basis not to exceed \$20,000. The total contract shall not exceed \$200,000. This agreement will terminate two years from the date of execution by the City Manager.

Aud. Cert. 9200940.

WU-U-92-080.

FILE LOCATION: MEET CCONFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-119: (R-92-1879) ADOPTED AS RESOLUTION R-280085

Authorizing the Personnel Director to execute an agreement with Readicare, Inc. to provide preemployment medical examinations, drug testing and other medical services, with the option to renew the agreement for Fiscal Year 1994, 1995 and 1996;

authorizing the expenditure of an amount not to exceed \$259,870 from Fund 100, Dept. 060 - \$144,524; Fund 100, Dept. 601 - \$92,500; Fund 41500, Dept. 700 - \$12,553; Fund 41300, Dept. 1300 - \$4,017; Fund 50030, Dept. 820 - \$6,276, for the purpose of providing funds for the above agreement.

(See City Personnel Director Report.)
Aud. Cert. 9300001.

FILE LOCATION: MEET CONTFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-not present, Mayor
O'Connor-not present.

* ITEM-120: (R-92-1821) ADOPTED AS RESOLUTION R-280086

Authorizing the execution of a 25-year lease agreement with Witman Ranch, Inc., for 19 acres of agricultural land, consisting of two parcels of 17 acres and 2 acres, respectively, to be used for the growing of citrus trees, at an initial annual minimum rent of \$3,000, to be adjusted to \$4,000 beginning January 1, 1994.

(See City Manager Report CMR-92-175. San Pasqual Valley Community Area. District-5.)

FILE LOCATION: LEAS - Witman Ranch, Inc. LEASFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

* ITEM-121: (R-92-1828) ADOPTED AS RESOLUTION R-280087

Approving Change Order No. 1, dated March 23, 1992, issued in connection with the contract with Landex Construction Corporation regarding the control room at Metro Pump Station No. 2, amounting to a net increase in the contract price of \$41,489;

authorizing the City Auditor and Comptroller to transfer the sum of \$41,489 within Sewer Revenue Fund 41506, CIP-46-072.0, Catalina Boulevard Trunk Sewer, to CIP-46-101.0, Metro Pump Station No. 2 - Additional Pumps; authorizing the expenditure of \$41,489 from Sewer Revenue Fund 41506, CIP-46-101.0, Metro Pump Station No. 2 - Additional Pumps, Control Room for said project.

(Pacific Highway Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The construction contract for the Control Room at Metro Pump Station No. 2 was

awarded to Landex Construction, Inc. on July 15, 1991. The original contract was for \$720,218. During construction, it became necessary to have the contractor perform work that was not required by the original contract. This resulted in Change Order No. 1 for \$41,489. Of the nine items in this change order, there were two items that made up the majority of the cost. The first item is to strengthen the existing concrete beams in three locations at the pump station. The method of reinforcing the beams described in the original contract could not be accomplished because of the unknown quantity and location of the existing steel reinforcement in the beams. An alternative method was designed to strengthen the beams to support the new rooms on the top level of the station in the amount of \$19,611.91. The second item in the Change Order is to construct two new showers for the disabled near the control room. The contractor was unable to construct the showers as shown on the plans due to insufficient clearance under the new raised floor. The showers had to be redesigned using prefabricated shower stalls for a net increase of \$9,504.15. The remaining items, totaling \$12,365.24 are: modifying cross bracing around office windows; furnishing supports for restroom counter tops; a ventilator for the elevator shaft; two recessed-type waste receptacles; a thermostat in the mechanical room exhaust fan; and the rerouting of an electrical lighting circuit.

Aud. Cert. 9200797.

WU-U-92-126.

FILE LOCATION: CONT - Landex Construction Corporation
CONFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-200: (R-92-1690) ADOPTED AS RESOLUTION R-280088

Establishing Council Policy 600-38 regarding
"Panhandle" Lots and Access Easements.
(See City Manager Report P-92-27.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C587-D289.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

Motion by Stevens to direct the City Manager to bring back for Council discussion and adoption, a resolution for a moratorium for one year on referrals from the Committee to the Planning Department for work orders. Second by McCarty. Passed. Yeas-2,3,4,5,6,7. Nays-1. Not present-8,M.

ITEM-201: (R-92-1631) ADOPTED AS RESOLUTION R-280089

(Continued from the meeting of May 11, 1992, Item 114, at Councilmember Behr's request, for further review.)

Authorizing the execution of an agreement with Boyle Engineering Corporation, for professional services regarding the preparation of an Environmental Impact Report, preliminary design 10 percent and geo-technical investigations for the Penasquitos Canyon Interceptor Sewer II; authorizing the expenditure of the amount of \$823,878 from Sewer Revenue Fund 41506, CIP-46-120.0, Penasquitos Canyon Interceptor Sewer II, for providing funds for this project; authorizing the City Manager to finance or refinance this project with tax-exempt securities, if circumstances so warrant.
(Los Penasquitos Canyon Preserve and Mira Mesa Community Area. Districts-1,5.)

CITY MANAGER SUPPORTING INFORMATION: On June 18, 1990, the City Council authorized an engineering agreement with Boyle Engineering Corporation for an amount not to exceed \$210,876, Resolution R-275911, to provide recommendations for providing additional sewage capacity for the Penasquitos Canyon Interceptor Sewer (PCIS). Boyle Engineering evaluated a total of eight alternative alignments for the upgrade of the PCIS. Of these, the following two alternatives were recommended for further environmental review: 1) A new sewer line parallel to the existing main in the canyon, and 2) A new pump station in the canyon, and a force main along Mercy Road and Black Mountain Road which turns to a gravity sewer along Miramar Road.

In addition, a flow equalization facility was evaluated. Concepts of flow equalization will be developed and evaluated at two locations in this contract. This agreement with Boyle

Engineering Corporation, for an amount not to exceed \$823,878, is to provide professional engineering services for preparation of an Environmental Impact Report (EIR), and the preliminary design 10 percent for the two recommended alternative alignments. After completion of the EIR, the document will be presented before Council for certification and for the final approval for the alignment for the PCISII. Once the alignment of the new PCIS is finalized, an agreement with Boyle Engineering Corporation for the final design and the preparation of the construction documents will be presented for Council approval.

Included in the total cost of \$823,878, is \$109,872 for special services, and \$344,700 (41.8 percent) of subconsultant work by the firms of ERCE, \$170,000 (20.6 percent); Geobase, Inc. (MBE) \$118,600 (14.4 percent); KMP Consulting (WBE) \$11,300 (1.4 percent); K. Neville (WBE) \$17,200 (2.1 percent); The Corra Group (WBE) \$7,300 (.9 percent); Quality Assurance Laboratory (MBE) \$5,400 (.6 percent); and Villalobus and Associates (MBE) \$14,900 (1.8 percent). The total participation for MBE is 16.8 percent and 4.4 percent for WBE.

Aud. Cert. 9200800.

WU-U-92-108.

FILE LOCATION: MEET CCONFY92-1

COUNCIL ACTION: (Tape location: D290-376.)

MOTION BY BEHR TO ADOPT THE RESOLUTION AND REQUEST THE CITY MANAGER TO REVIEW THE FOLLOWING POINTS:

1. The existing sewer line in Penasquitos has manhole covers sticking up about four feet above the ground and painted orange. As a new sewer line is being reviewed to go through the canyon, staff is requested to explore ways to change the existing manhole covers in the Penasquitos Canyon to be consistent with the new line that goes through and to add vegetation for screening.
2. Within Penasquitos Canyon there is an old sludge drying bed facility that is 30 years old and abandoned with strange plants growing out of an asphalt bed. Staff is requested to provide a report as to what it would take to mitigate that bed, remove it and what the fiscal impact would be.
3. If the Judge approves the change to the Clean Water Program, to eliminate the Pomerado Facility farther to the east of this trunk line, staff is requested to work with the City of Poway to assist in the cleaning up of their old treatment facility east of I-15.
4. Request staff to continue working with the Friends of Penasquitos Canyon as well as the surrounding planning

groups on this project. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-202: (R-92-1705) CONTINUED TO JUNE 29, 1992

(Continued from the meeting of May 26, 1992, Item 127,
at City Manager's request, for further review.)

Authorizing the execution of a 20-year lease agreement
with Evergreen Distributors, Inc., for the use of 70
acres of City-owned land in San Pasqual Valley for the
purpose of developing a wholesale tree farm, at an
initial annual rent of \$14,000; declaring that the
lessee's right to install five structures with each to
accommodate eight farm workers as described in Section
9.7 of the lease, shall be subject to acquiring all
required permits and in accordance with all applicable
laws and regulations.

(See City Manager Report CMR-92-149. San Pasqual
Community Area. District-5.)
WU-PR-92-122.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A537-574.)

MOTION BY BEHR TO CONTINUE TO JUNE 29, 1992 AT THE REQUEST
OF THE CITY MANAGER TO ADDRESS ENVIRONMENTAL ISSUES. Second
by Hartley. Passed by the following vote: Wolfsheimer-yea,
Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-not present, Mayor
O'Connor-not present.

ITEM-203: (R-92-1918 Rev.) ADOPTED AS AMENDED AS
RESOLUTION R-280090

Authorizing the City Manager to negotiate and execute
an agreement with the County of San Diego for Animal
Control, for general animal control services in Fiscal
Year 1993; authorizing the City Manager to extend the
Fiscal Year 1992 agreement on a month to month basis
under the existing terms and conditions until the
Fiscal Year 1993 agreement is executed; authorizing the
expenditure of an amount not to exceed \$1,400,000 from
Non-departmental Expenditures (Program 60101), for the
purpose of providing funds for general animal control
services during Fiscal Year 1993.

(See City Manager Report CMR-92-186.)

FILE LOCATION: MEET CONTFY92-1

COUNCIL ACTION: (Tape location: D378-E286.)

MOTION BY STALLINGS TO ACCEPT THE REPORT EXCEPT FOR THE FERAL ANIMAL SECTION; AUTHORIZE THE CITY MANAGER TO ENTER INTO A MONTH-TO-MONTH CONTRACT FOR THE FIRST SEVERAL MONTHS OF THE FISCAL YEAR, DURING WHICH TIME THE CITY MANAGER IS TO WORK WITH THE CITIZENS COMMITTEE TO ENSURE THAT THE PERFORMANCE MEASUREMENTS AND THE GOALS THAT THEY RECOMMENDED GET INCORPORATED INTO THE NEGOTIATED ANNUAL AGREEMENT WITH THE COUNTY; AND DIRECT THE CITY MANAGER TO:

1. RETURN TO THE JULY 15, 1992, PS&S COMMITTEE MEETING WITH A THREE-PHASE ECONOMIC ANALYSIS OF THE COMMITTEE'S FINDINGS TO (A) ESTABLISH THE PORTIONS THAT ARE REVENUE ENHANCING, (B) ESTABLISH THE PORTIONS THAT CAN BE IMMEDIATELY IMPLEMENTED AT LITTLE OR NO COST, AND (C) ESTABLISH THE PORTIONS THAT ARE MEDIUM- AND LONG-TERM AND REQUIRE REVENUE ENHANCEMENT;
2. NEGOTIATE, NOT EXECUTE, THE ANNUAL AGREEMENT WITH THE COUNTY OF SAN DIEGO FOR ANIMAL CONTROL SERVICES AND INCORPORATE THE PANEL SERVICE LEVEL INDICATORS THAT ARE DETERMINED BY THE PS&S COMMITTEE;
3. INCLUDE IN THE CONTRACT THAT THE BLUE RIBBON PANEL MEET QUARTERLY WITH THE CITY MANAGER TO MONITOR THE PERFORMANCE OF THE CONTRACT SERVICE LEVEL AND TO CONSIDER IMPROVEMENTS;
4. RETURN TO COUNCIL WITH THE FINAL CONTRACT SOMETIME IN THE FALL; AND
5. REFER THE FERAL ANIMAL SECTION OF THE REPORT TO THE SUBCOMMITTEE FOR A REPORT BACK BY THE TIME THE FINAL CONTRACT COMES BACK TO COUNCIL.

Second by Hartley. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea,
Behr-yea, Stallings-yea, McCarty-yea, Filner-not present,
Mayor O'Connor-not present.

ITEM-204:

(Continued from the meeting of May 12, 1992, Item 331, at Councilmember Wolfsheimer's request, to review background materials and to allow the item to be heard at TPE Committee.)

Proposal to amend the San Diego Municipal Code by amending Sections 101.0101.20, 101.0407 and 101.0463 and by adding Section 101.0101.76.1 relating to definitions of the terms "Family," "Single Housekeeping

Unit" and "One Family Dwelling," making technical changes to the rental regulations and the regulations affecting property within single family residential zones, and in particular, the One-Family Dwelling Rental Zone, designated C-841 on file in the Office of the City Clerk.

LOCAL COASTAL PROGRAM: The proposed amendment to the Municipal Code also constitutes an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification. The LCP amendment would not become effective until after approval by the California Coastal Commission.
(City-Wide)

Subitem-A: (O-92-82 Rev. 1) INTRODUCED, TO BE ADOPTED
JUNE 22, 1992

Introduction of an Ordinance amending Section 101.0101.20 and adding Section 101.0101.76.1 of the San Diego Municipal Code, relating to "Family" and "Single Housekeeping Unit."

Subitem-B: (O-92-151) INTRODUCED AS AMENDED, TO BE
ADOPTED JUNE 22, 1992

Introduction of an Ordinance amending the San Diego Municipal Code by amending Sections 101.0407 and 101.0463 relating to One-Family Dwelling Rental Regulations.

FILE LOCATION:

COUNCIL ACTION: (Tape location: E287-F408.)

Hearing began at 5:18 p.m. and halted at 6:07 p.m.

Testimony in favor by Sue Oxley, Barbara Greene and Barry Schultz.

Testimony in opposition by Doris Payne and Tracy Morgan.

MOTION BY WOLFSHEIMER TO INTRODUCE SUBITEM A. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

MOTION BY McCARTY TO INTRODUCE SUBITEM B AS AMENDED TO INCLUDE LANGUAGE WHICH EMPHASIZES THAT MEDIATION SHOULD BE THE FIRST REMEDY WHERE APPROPRIATE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-205:

Matter of amending the Southeast San Diego Community Plan to re-designate the proposed police substation site bounded by 30th Street, Imperial Avenue, 31st Street and Commercial Avenue from Multiple Use (Residential/Commercial) and Industrial to Institutional. The CSR-2-R-1500 and I-1 Zones on the proposed police substation site will be retained.

Certification of a Negative Declaration for the proposed police substation site (DEP-91-0099) will also be considered.

The proposed action will allow the establishment of a police substation within the Memorial Neighborhood of the Southeast San Diego Community Plan Area. The 4.3 acre site is located at the southeast corner of 30th Street and Imperial Avenue. The legal description is Central Park, Map-435, Block 104, Lots 1-15; Lots 16, 17 & West 1/2 Lot 18; Lots 19, & 20 East 1/2 Lot 18; Lots 21-24; Lots 25-48.
(Memorial Neighborhood of the Southeast San Diego Community Plan. District-4.)

Subitem-A: (R-92-1776) ADOPTED AS RESOLUTION R-280091

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-91-0099 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said report has been reviewed and considered by the Council.

Subitem-B: (R-92-1775 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-280092

Adoption of a Resolution amending the Southeast San Diego Community Plan.

FILE LOCATION: LAND - Southeast San Diego Community Plan

COUNCIL ACTION: (Tape location: F442-G437.)

Hearing began at 6:10 p.m. and halted at 6:50 p.m.

Testimony in favor by Mario Perez, Fred Spells, Ray Stacy, Renaldo Pisado and Mary Fuentes Quiroz.

Testimony in opposition by Steven Wall, Kamil Salem and John Stump.

MOTION BY BEHR TO ADOPT SUBITEM A AND TO ADOPT SUBITEM B AS AMENDED TO INCLUDE THE FOLLOWING LANGUAGE: "THE CITY COUNCIL HAS EXAMINED THE EXISTING CSR-2-R-1500 AND I-1 ZONES AND THE PROPOSED CHANGE TO THE LAND USE DESIGNATION OF THE SOUTHEAST SAN DIEGO COMMUNITY PLAN AND FINDS THE EXISTING ZONING TO BE CONSISTENT WITH THE SOUTHEAST SAN DIEGO COMMUNITY PLAN AS AMENDED BY THE RESOLUTION." Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-not present, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S400: RECOGNIZED AND WELCOMED

Recognizing and welcoming a delegation of government officials from Yokohama, Japan, our sister city, who are part of a larger delegation of 157. The delegation is commemorating the 35th anniversary of the Sister City affiliation between San Diego and Yokohama. June 8 has been declared "San Diego-Yokohama Sister City Day."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A282-358.)

ITEM-S401: (R-92-1895) ADOPTED AS RESOLUTION R-280093

(Continued from the meeting of June 1, 1992, Item 150, due to lack of time.)

Approving the City Manager's Fiscal Year 1992 (October 1, 1991 through December 31, 1991) Workforce and MBE/WBE Participation Reports on the status of the City's Independent Corporations.
(See City Manager Report CMR-92-146.)

COMMITTEE ACTION: Reviewed by the Committee of the Whole on
5/20/92. Not acted on due to lack of a quorum.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B030-041.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S402: (R-92-1896) ADOPTED AS RESOLUTION R-280094

(Continued from the meeting of June 1, 1992, Item 151,
due to lack of time.)

Approving the City Manager's Second Quarter Equal
Opportunity Report for Fiscal Year 1992 on the status
of the City's Equal Opportunity Program.
(See City Manager Report CMR-92-145.)

COMMITTEE ACTION: Reviewed by COMM on May 20, 1992. No action
taken due to lack of quorum.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B030-041.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S403: (R-92-1736) ADOPTED AS RESOLUTION R-280095

(Continued from the meeting of June 1, 1992, Item 107,
at Councilmember Hartley's request, to locate the
necessary paperwork.)

Approving the acceptance by the City Manager of a grant
deed of Triple J Development, L.P., granting to the
City an easement for public alley purposes in a portion
of Lot 27 in Block 2 of Florence Heights Addition,
Map-892; dedicating said land as and for a public
alley.
(Uptown Medical Complex Community Area. District-2.)

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FILE LOCATION: DEED F-5835 DEEDFY92-1

COUNCIL ACTION: (Tape location: B030-041.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stallings.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S404: (R-92-1774) ADOPTED AS RESOLUTION
R-280096, WITH AN AMENDMENT TO
THE BYLAWS

(Continued from the meetings of May 26, 1992, Item 207,
and June 1, 1992, Item S405, last continued at
Councilmembers Hartley's and McCarty's request, due to
lack of time and for further review.)

Approving the Articles of Incorporation and Bylaws of
the proposed City Heights Redevelopment Corporation.
(See City Manager Report CMR-92-170. Mid-City
Community Area. Districts-3, 4 and 7.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C093-318.)

MOTION BY HARTLEY TO ADOPT ITEM-S404 AND ITEM-S405 AS
AMENDED TO CHANGE ARTICLE III, SECTION 2 OF THE CITY HEIGHTS
DEVELOPMENT CORPORATION BYLAWS TO READ: "NUMBER AND
QUALIFICATION OF DIRECTORS. THE AUTHORIZED NUMBER OF
DIRECTORS SHALL BE NINE (9), ALL OF WHOM SHALL BE ELECTED BY
THE MEMBER. FIVE MEMBERS SHALL BE PERSONS WHOSE
PROFESSIONAL BACKGROUND OR EXPERIENCE IS IN THE FIELD OF
FINANCE, GENERAL BUSINESS, REAL ESTATE DEVELOPMENT, LAW OR
ARCHITECTURE." Second by Stevens. Passed by the following
vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay,
Filner-not present, Mayor O'Connor-not present.

ITEM-S405: (R-92-1884) ADOPTED AS RESOLUTION R-280097

(Continued from the meetings of May 26, 1992, Item
S411, and June 1, 1992, Item S406; last continued at
Councilmembers Hartley's and McCarty's request, due to
lack of time and for further review.)

Authorizing the City Manager to sign an operating agreement with the City Heights Development Corporation.

(See City Manager Report CMR-92-180. Mid-City Community Area. Districts-3, 4, and 7.)

NOTE: See Item S404 on the Council docket and the Redevelopment Agency Agenda of June 8, 1992 for companion items.

FILE LOCATION: MEET CONFY92-1

COUNCIL ACTION: (Tape location: C093-318.)

MOTION BY HARTLEY TO ADOPT ITEM-S404 AND ITEM-S405 AS AMENDED TO CHANGE ARTICLE III, SECTION 2 OF THE CITY HEIGHTS DEVELOPMENT CORPORATION BYLAWS TO READ: "NUMBER AND QUALIFICATION OF DIRECTORS. THE AUTHORIZED NUMBER OF DIRECTORS SHALL BE NINE (9), ALL OF WHOM SHALL BE ELECTED BY THE MEMBER. FIVE MEMBERS SHALL BE PERSONS WHOSE PROFESSIONAL BACKGROUND OR EXPERIENCE IS IN THE FIELD OF FINANCE, GENERAL BUSINESS, REAL ESTATE DEVELOPMENT, LAW OR ARCHITECTURE." Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Filner-not present, Mayor O'Connor-not present.

ITEM-S406: (O-92-150) CONTINUED TO JUNE 29, 1992

(Continued from the meeting of June 1, 1992, Item 206, due to lack of time and for further review.)

Introduction of an Ordinance amending Ordinance O-17458, adopted on April 16, 1990, collecting assessments for the La Jolla Business Improvement District, by creating a third zone for businesses located on the perimeter of the District, and reclassifying real estate offices from Category "B" to Category "C".

(See City Manager Report CMR-92-171. La Jolla Community Area. District-1.)

FILE LOCATION: STRT L-2

COUNCIL ACTION: (Tape location: B042-C092.)

Hearing began at 2:56 p.m. and halted at 3:40 p.m.

Testimony in favor by Joe Graham and S. Berg.

Testimony in opposition by John Stump.

Motion by Wolfsheimer to set up all businesses according to zones and not classify them. No second.

Motion by Wolfsheimer to convert the real estate brokers from the retail category to the service category and to approve an assessment with a minimum of \$65.00, regardless of the zone, for all businesses in the service category. No second.

MOTION BY WOLFSHEIMER TO CONTINUE TO JUNE 29, 1992 AND COME BACK WITH A NEW ORDINANCE FOR A NOTICED HEARING TO CONVERT THE REAL ESTATE BROKERS ASSESSMENT FROM THE RETAIL CATEGORY TO THE SERVICE CATEGORY. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

Motion by Wolfsheimer to direct staff to come back with a recommendation as to the appropriate level to set the fees for the service category. Failed. Yeas-1,3,4,6. Nays-2,5,7. Not present-8,M.

MOTION BY HARTLEY TO DIRECT STAFF TO COME BACK WITH A REPORT, FOR COUNCIL DISCUSSION, AS TO THE APPROPRIATE LEVEL TO SET THE FEES FOR THE SERVICE CATEGORY THAT WOULD BE EQUITABLE AND GIVE PARITY THROUGHOUT THE CITY. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-nay, Filner-not present, Mayor O'Connor-not present.

MOTION BY WOLFSHEIMER TO CREATE ZONE THREE. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S407: (O-92-95) INTRODUCED, TO BE ADOPTED JUNE 22, 1992

(Trailed from June 1, 1992, Item 152, to June 3, 1992, due to a lack of five affirmative votes; Continued from June 3, 1992 to allow more time for discussion.)

Introduction of an Ordinance amending Chapter II, Article 2, Division 17, of the San Diego Municipal Code, by adding Section 22.1707, relating to City Treasurer Authorization to Charge Collection Fees.

(See City Manager Report CMR-92-131.)

COMMITTEE ACTION: Reviewed by COMM on 5/06/92. Not acted on due to lack of a quorum.

FILE LOCATION:

COUNCIL ACTION: (Tape location: F409-441.)

Motion by Stallings to introduce the ordinance and refer the delinquent charges, interest charges and administrative issue to the City Manager for further discussions with the Small Business Advisory Board. Second by McCarty with the amendment to the motion that the new late fee would be \$10 or 10% which ever is lower. No vote.

MOTION BY STALLINGS TO INTRODUCE THE ORDINANCE AND REFER THE DELINQUENT CHARGES, INTEREST CHARGES AND ADMINISTRATIVE ISSUE TO THE CITY MANAGER FOR FURTHER DISCUSSIONS WITH THE SMALL BUSINESS ADVISORY BOARD. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S408: (R-92-1904 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-280098, MINUS THE
DEVELOPER FEES; MOTION FOR
THE DEVELOPER FEES WAS
CONTINUED TO JUNE 15, 1992

Approving the use of funds from the Marina Redevelopment Project (or successor project) to pay part of the costs of providing very low and low income housing for the Mercado Apartment Project pursuant to a pre-development loan agreement with the Metropolitan Area Advisory Committee; and determining that such use of funds will be of benefit to the Marina Redevelopment Project.
(Barrio Logan/Harbor Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The Metropolitan Area Advisory Committee (MAAC), the non-profit developer of the 144-unit Mercado Apartment Project, to be developed in the Barrio

Logan Redevelopment Project Area, has requested Agency assistance to fund the majority of the project's pre-development expenses. Tax increment resources have not sufficiently accrued to the Barrio Logan project in order to cover these types of financial requests since the project was adopted in May of 1991. Marina or successor Low and Moderate Income Housing Funds are being requested to make the \$254,656 pre-development loan MAAC has requested. The City Council is being asked to adopt a Finding of Benefit Resolution that the use of Marina or successor Low and Moderate Income Housing Funds on behalf of the Barrio Logan Redevelopment Project is of benefit to the Marina or successor Redevelopment Project. Since the Barrio Logan Redevelopment Project is proximate to the Marina or successor project, such a finding of benefit can be made.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C319-569.)

MOTION BY McCARTY TO ADOPT AS AMENDED MINUS THE DEVELOPER FEES. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

Motion by Hartley to adopt the developer fees of \$28,000. Second by Wolfsheimer. No vote.

MOTION BY STALLINGS TO CONTINUE THE MOTION ON THE DEVELOPER FEES TO JUNE 15, 1992. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

None

COUNCIL COMMENT:

ITEM-CC-1: REFERRED TO CITY MANAGER

Comment by Council Member Roberts requesting the City Manager to report on the status of the SDG&E Industrial Revenue Bonds in one week.

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FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A063-092.)

COUNCIL COMMENT:

ITEM-CC-2: REFERRED TO CITY MANAGER

MOTION BY COUNCIL MEMBER STEVENS TO REQUEST THE CITY MANAGER TO ARRANGE A JOINT EMERGENCY MEETING HERE IN SAN DIEGO ON FRIDAY, JUNE 12, 1992 AT 2:00 P.M. WITH THE STATE ASSEMBLY AND STATE SENATE DELEGATION FROM SAN DIEGO TO DISCUSS THE BUDGET CRISIS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H306-391.)

ADJOURNMENT:

The meeting was adjourned by Chairperson Wolfsheimer in honor of the memory of Tameka Henderson.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H297-305.)